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PTO/SB/05 (08-03)

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U.S. PTO

UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

| | |
|------------------------|--------------------------|
| Attorney Docket No. | THUE:002 |
| First Inventor | Marcus L. Thuesen et al. |
| Title | Pouch Containers ... |
| Express Mail Label No. | EK776390438US |

U.S. PTO
10798760
22856

031104

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

| | |
|---|---|
| 1. <input type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing) | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) |
| 2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. | 8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) |
| 3. <input checked="" type="checkbox"/> Specification [Total Pages 45] (preferred arrangement set forth below) | a. <input type="checkbox"/> Computer Readable Form (CRF) |
| - Descriptive title of the invention | b. Specification Sequence Listing on: |
| - Cross Reference to Related Applications | i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or |
| - Statement Regarding Fed sponsored R & D | ii. <input type="checkbox"/> Paper |
| - Reference to sequence listing, a table, or a computer program listing appendix | c. <input type="checkbox"/> Statements verifying identity of above copies |
| - Background of the Invention | ACCOMPANYING APPLICATION PARTS |
| - Brief Summary of the Invention | 9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s)) |
| - Brief Description of the Drawings (if filed) | 10. <input checked="" type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney (when there is an assignee) |
| - Detailed Description | 11. <input type="checkbox"/> English Translation Document (if applicable) |
| - Claim(s) | 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations |
| - Abstract of the Disclosure | 13. <input type="checkbox"/> Preliminary Amendment |
| 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 10] | 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) |
| 5. Oath or Declaration [Total Sheets 2] | 15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) |
| a. <input checked="" type="checkbox"/> Newly executed (original or copy) | 16. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. |
| b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed) | 17. <input checked="" type="checkbox"/> Other: Transmittal Letter. ±. copy. (4 pages) |
| i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). | |
| 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 | |

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.:Prior application information: Examiner _____ Art Unit: _____
For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

 Customer Number: 39456 OR Correspondence address below

| | | | |
|----------|-----------------------------------|-----------|----------------|
| Name | Keith B. Willhelm | | |
| Address | Attorney at Law 6266 Del Monte | | |
| City | Houston | State | Texas |
| Country | U.S.A. | Telephone | (832) 656-3853 |
| Zip Code | 77057 | | |
| Fax | (832) 251-3853 | | |

| | | | |
|-------------------|-------------------|-----------------------------------|--------|
| Name (Print/Type) | Keith B. Willhelm | Registration No. (Attorney/Agent) | 31,442 |
| Signature | Keith B. Willhelm | | |
| Date | March 11, 2004 | | |

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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U.S.PTO

Keith B. Willhelm
Attorney at Law

March 11, 2004

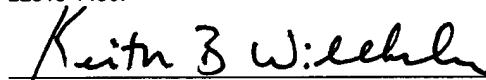
FILE: THUE:002

**CERTIFICATE OF EXPRESS MAILING
UNDER 37 C.F.R. § 1.10**

MAILING LABEL NO. EK776390438US

DATE OF DEPOSIT: March 11, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. § 1.10 on the date indicated above with postage prepaid and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.



Keith B. Willhelm

Via Express Mail: Label No. EK776390438US

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RE: *U.S. Patent Application Entitled: Pouch Containers Having Advertising Media and Methods for Their Dissemination*
Applicants: Marcus L. Thuesen and Lejo C. Brana

Sir:

Transmitted herewith for filing are:

- (1) Utility Patent Application Transmittal Form;
- (2) 45-page patent specification with 41 claims and an abstract;
- (3) 32 figures on 10 sheets of drawings (in triplicate);
- (4) Declaration;
- (5) Election Under 37 C.F.R. §§ 3.71 and 3.73 and Power of Attorney;
- (6) Assignment;
- (7) Recordation Form Cover Sheet;
- (8) Nonpublication Request Under 35 U.S.C. § 122(b)(2)(B)(i); and
- (9) Additional Copy of Transmittal Letter authorizing the charging of fees in the amount of \$786.00 and listed below to the deposit account of Applicants' attorney.

Keith B. Willhelm

Commissioner for Patents

March 11, 2004

Page 2

FILING FEE CALCULATION

| FOR | | Small Entity | | Large Entity | |
|-----------------------------|---------------------|------------------|-----------|--------------|-----------|
| Total Claims | 41 - 20 = 21 | x \$ 9 = | \$ 189.00 | x \$ 18 = | \$ 18.00 |
| Independent Claims | 7 - 3 = 4 | x \$ 43 = | \$ 172.00 | x \$ 86 = | \$ 0.00 |
| Multiple Dependent Claim(s) | | + \$145 = | \$ 0.00 | + \$290 = | \$ 0.00 |
| Basic Fee: | | + \$385 = | \$ 385.00 | + \$770 = | \$ 770.00 |
| Assignment Recording Fee: | (\$40 per property) | + = | \$ 40.00 | + = | \$ 0.00 |
| TOTAL FILING FEES | | \$ 786.00 | | | |

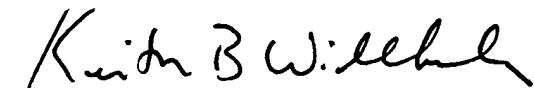
Pursuant to 37 C.F.R. § 1.10, Applicants request the Patent and Trademark Office to accept this application and accord a serial number and filing date as of the date this application is deposited with the U.S. Postal Service for Express Mail.

Applicants, by their undersigned attorney and pursuant to 37 C.F.R. § 1.27(c), hereby assert their entitlement to small entity status and to the payment of reduced fees relative to the subject application.

The Commissioner is hereby authorized to charge the amount of **\$786.00** in payment of the fees listed above to the deposit account of applicant's attorney, Keith B. Willhelm, Attorney at Law, Deposit Account No. 501,435/THUE:002. If the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason in connection with this application, or should an overpayment be included herein, the Assistant Commissioner is authorized to deduct or credit said fees from or to said deposit account.

Please date stamp and return the enclosed postcard to evidence receipt of these materials and forward any reply to this communication directly to me.

Respectfully submitted,



Keith B. Willhelm
Reg. No. 31,442

Encl: As stated

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Marcus L. Thuesen *et al.*

Serial No.: TBA

Filed: Concurrently Herewith

For: POUCH CONTAINERS HAVING
ADVERTISING MEDIA AND METHODS
FOR THEIR DISSEMINATION

Group Art Unit: TBA

Examiner: TBA

Atty. Dkt. No.: THUE:002

CERTIFICATE OF EXPRESS MAILING
UNDER 37 C.F.R. § 1.10

MAILING LABEL NO. EK776390438US

DATE OF DEPOSIT: March 11, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. § 1.10 on the date indicated above with postage prepaid and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.


Keith B. Willhelm

NONPUBLICATION REQUEST UNDER 35 U.S.C. § 122(b)(2)(B)(i)

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicants, by their attorney and pursuant to 35 U.S.C. § 122(b)(2)(B)(i), hereby request that the subject application filed concurrently herewith not be published under 35 U.S.C. § 122(b).

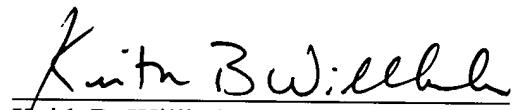
I hereby certify that the invention disclosed in the subject application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

Applicants may rescind this nonpublication request at any time. If applicants rescind this request that the application not be published under 35 U.S.C. § 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicants subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, applicants will notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Applicants further acknowledges that failure to do so will result in abandonment of this application pursuant to 35 U.S.C. 122(b)(2)(B)(iii).

Respectfully submitted,

March 11, 2004
Date


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